



DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2301-037]

Northwestern Corporation; Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the
Commission and is available for public inspection:

- a. Application Type: Application for Temporary Variance from Stream Gaging Requirements
- b. Project No: 2301-037
- c. Date Filed: February 14, 2022
- d. Applicant: Northwestern Corporation (licensee)
- e. Name of Project: Mystic Lake Hydroelectric Project
- f. Location: The project is located on West Rosebud Creek in Carbon and Stillwater counties, Montana
- g. Filed Pursuant to: Federal Power Act, 16 USC 791a – 825r
- h. Applicant Contact: Mary Gail Sullivan, Director; Northwestern Corporation; 11 East Park Street; Butte, MT 59701; Phone: (406) 444-8115
- i. FERC Contact: Alicia Burtner, (202) 502-8038, Alicia.Burtner@ferc.gov
- j. Deadline for filing comments, motions to intervene, and protests: March 24, 2022.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system

at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P-2301-037. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. Description of Request: The licensee requests approval of a temporary variance of its stream gaging requirements in order to complete maintenance on the West Rosebud Creek stream gaging weir, located immediately upstream of the Mystic Powerhouse discharge. Standard Article 8 of the project license requires the licensee to install and maintain stream gaging stations for the determination of stage and flow, the amount of water being held in and withdrawn from storage, and the effective head on the turbines. The West Rosebud Creek weir consists of a concrete check dam and metal threshold

plate; however, the licensee reports that erosion of the concrete has allowed water to flow under the metal threshold plate, decreasing gaging accuracy. Maintenance of the weir would entail removing the plate, repairing the concrete, and reattaching the plate. In order to do so, the licensee requests that it be allowed to dewater the site for a maximum of 7 days, while maintaining flows in the bypass reach.

l. Locations of the Application: This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, call 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659.

Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title “COMMENTS”, “PROTEST”, or “MOTION TO INTERVENE” as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: March 4, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022-05053 Filed: 3/9/2022 8:45 am; Publication Date: 3/10/2022]